IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

TUESDAY, THE 4TH DECEMBER 2007 / 13TH AGRAHAYANA 1929

WP(C).No. 31460 of 2007(T)

PETITIONER:

SAFIA,AGED 56,W/O. ABDUL SHAKOOR,
8/2010-B,MUALNA AZAD ROAD, COCHIN-2.

BY ADV. SRI.V.VENUGOPALAN NAIR

RESPONDENTS:

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1. THE SPECIAL TAHASILDAR, (R.R.) COCHIN

2. M/S. SUI PACK, NO. 10, MAULANA AZAD ROAD
COCHIN-1.

BY SHRI.P.P.THAJUDEEN, SC, KSEB
SHRI.K.P.PRADEEP, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 04/12/2007, ALONG with WP(C) No. 35385/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) No. 31460/2007

APPENDIX

PETITIONER'S EXHIBITS

P1 : COPY OF THE SALE PROCLAMATION ISSUED BY 1ST RESPONDENT DATED 20/09/2007.

// TRUE COPY //

PA TO JUDGE.

jg

C.N.RAMACHANDRAN NAIR, J.

WP(C) Nos. 31460 & 35385 of 2007

Dated, this the 4th day of December, 2007

J U D G M E N T

Petitioners in these writ petitions are respondents in WP(C) No.30452/2006, which is disposed of today vide separate judgment. Petitioners' claimed that sale is impermissible and their properties cannot be sold in recovery proceedings. Petitioners, admittedly, are guarantors for the loan availed by three firms, which are respondents 1 to 3 in WP(C) No.30452/2006. The observations, findings and directions stated in the judgment in WP(C) No.30452/2006 are applicable to the petitioners in these writ petitions also. Petitioners are free to file objections or make claim before the 1st respondent in these writ petitions under Section 46 of the RR Act, for him to consider the same. If they have any grievance against the decision of the 1st respondent on the claim petition made as above, they can approach the statutory authority in appeal or revision.

These writ petitions are closed as above.

(C.N.RAMACHANDRAN NAIR, JUDGE)

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